

MINUTES
HIGHLAND CITY COUNCIL MEETING
Tuesday, August 16, 2016

Highland City Council Chambers, 5400 West Civic Center Drive, Highland, Utah 84003

PRESENT: Mayor Mark S. Thompson, conducting
Councilmember Brian Braithwaite
Councilmember Dennis LeBaron
Councilmember Ed Dennis
Councilmember Rod Mann

STAFF PRESENT: Nathan Crane, City Administrator/Community Develop. Director
Erin Wells, Assistant to the City Administrator
Gary LeCheminant, Finance Director
JoD'Ann Bates, City Recorder
Zachary Smallwood, Planner
Justin Parduhn, Public Works O&M Director
Tim Merrill, City Attorney

EXCUSED: Councilmember Tim Irwin

OTHERS: Jessie Schoenfeld, Kaity Lavaja, Charles Greenland, Kurt Ostler, Nathan Edgel, Ellen Ingerson, Spencer Ingerson, Laura Mabey, Jonathan Bentley, Audrey Wright, DeeAnne Carlisle, Rodger Harper, Jocelyn Parmer, Drew, Maxwell, Michael Berg, Ben Sidwell, Gavin Smith, Adam Wightman, Ryan Hodgson, Joshua Doezie, Brandon Baukman, Anthony Bott, Ellis Bott, Grant Cory, Douglas Nielsen, Reece DeMille, Shauna Larsen and Chris Doezie.

The meeting was called to order by Mayor Mark S. Thompson as a regular session at 7:04 p.m. The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting. The prayer was offered by Councilman Rod Man and those assembled were led in the Pledge of Allegiance by Ben Sidwell, a scout.

APPEARANCES:

Jocelyn Parmer expressed her concern for the dangerous conditions of three dead trees in the Canterbury Subdivision. She stated that she had recently sent letters to the City Council Members, but she has been trying to contact the City regarding this issue for the past two years. Mrs. Parmer reported that the neighbors all harbor concerns about the trees and would be willing to assist in their removal.

Nathan Crane, City Administrator, stated that the City was waiting to receive bids from contractors for the cost of tree removal. He estimated a cost of \$10,000.

Mrs. Parmer stated that the citizens would be willing to set up fundraisers to help cover the cost, if that was a concern for the City.

PRESENTATION

Highland Fling Volunteer Recognition – Jessie Schoenfeld, Fling Chairman & Kaity Lavaja, Events Coordinator

Jessie Schoenfeld individually recognized Charles Greenlund, Shauna Larsen, DeeAnne Carlile, Curt Ostler, and Brandon Balkman for their part in the Highland Fling and thanked them for volunteering. Ms. Schoenfeld then reported on the successes of the Highland Fling, and a few areas for improvement for next year.

Councilman Rod Mann inquired how many years the Frisbee Golf had participated in the Fling.

Brandon Balkman responded that this was their 3rd year participating. He stated that with the success they have had they have been able to pay off all of their debt so at this point funds they have left over at the end goes directly to the upkeep of the course.

Kaity Lavaja presented the budget for the Highland Fling. The first page of the document was a summary of the revenue and expenses of the Fling. She noted that revenue increased from the previous year. The following page showed a breakdown of revenue and expense by event.

Councilman Brian Braithwaite asked if the budget document included a list of monetary and in-kind donations for the event. Mrs. Lavaja confirmed that the in-kind list was not included in the document, but she would be able to email that information to the City Councilmembers. There was a brief discussion regarding possible options for recognizing those individuals who donated to the event.

Mr. Crane took a moment to thank Ms. Schoenfeld for her work on the event and presented her with a small gift.

Before continuing the meeting, Mayor Thompson stated that the City Council would hear and discuss Items 5 and 3 before proceeding with the agenda as written.

ACTION ITEMS:

5. MOTION: Contracting for Job Classification and Compensation Study – Personnel Systems and Services

BACKGROUND: *At the June 14, 2016 Council meeting, City Council approved the FY2017 budget. As a part of the discussion on that item, the Mayor and City Council directed staff to conduct a study regarding the comparison of employees' wages and benefits. Council and staff also discussed updating job descriptions and performance evaluations for employees. Since that time, staff has met with Mike Swallow, President of Personnel Systems and Services, about conducting a job study. Personnel Systems and Services is viewed as the expert company in conducting job studies for local governments. The company was recommended by Lehi,*

American Fork, and other cities. Personnel Systems and Services' proposal includes: updating job descriptions, creating job classifications, conducting a salary and benefit analysis and comparison, and the creation of a compensation policy including salary grades and ranges. Part of the deliverables include wage model that can be updated in the future by City staff with recent data. Data is collected annually by Personnel Systems and Services and is available to the City throughout the year for a \$250 annual fee. The timeline on the study would be 4-5 months. With the updated job descriptions, classifications, and compensation policy, City staff will be able to update job evaluations to be reflective of the study products.

Erin Wells, Assistant to the City Administrator, presented the background information above. Staff believes that Mr. Swallow's proposal to be comprehensive and something the City would be able to update over time.

Mike Swallow, with Personal Systems and Services, explained the purpose of the annual fee of \$250 and stated that the company offers discounts on other services as part of that subscription. He also expressed a desire that Highland City become part of the company's collective information-sharing resource. Mr. Swallow then explained the methodology that would be used in creating the job study.

Councilman Brian Braithwaite asked Mr. Swallow to explain how the study would portray hourly rate verses complete compensation, as the City at times will offer a lower hourly rate but increased benefits or similar types of compensation. Mr. Swallow stated that the base pay and other beneficial values would be studied separately, and there were several ways to approach the issue. Councilman Brian Braithwaite stated that he would like the document to focus on total compensation value. He also wanted those total numbers used when measuring against other cities.

Councilman Ed Dennis asked if the study would include performance evaluations based on the job descriptions and expectations of performance. Mr. Swallow stated that there was a component of the study that addressed this area. Ms. Wells explained that staff's intention was to get to the end of the study and then determine if the performance evaluations were something the City could conduct with or without Mr. Swallow's assistance.

Councilman Dennis LeBaron asked if Mr. Swallow would factor in the size of the City versus the size of the staff when comparing to other cities. Mr. Swallow stated that this was an entirely different area of study, and it was not part of the direction given by staff.

MOTION: Councilman Rod Mann moved the City Council authorize the Mayor to sign a contract with Personnel System and Services in the amount of \$11,500, including the \$250 annual subscription.

Councilman Ed Dennis seconded the motion.

Those voting aye: Dennis LeBaron, Ed Dennis, Rod Mann and Brian Braithwaite.

Those voting nay: none

Motion carried.

3. RESOLUTION: Approval of a Pro-Tem Judge for the Justice Court – Honorable Scott Mickelsen and Honorable Sherlynn Fenstermaker.

***BACKGROUND:** Judge Doug Nielsen has been hired as the Fourth District Juvenile Judge. The City has begun working the Administrative Office of the Courts (AOC) to fill the position. The next "New Judge Orientation" is in January 2017. This is a mandatory course that must occur prior to the new judge being sworn in. Due to a number of vacancies statewide, the AOC may hold an orientation earlier. Judge Nielsen has approached Judge Scott Mickelsen and Judge Sherlynn Fenstermaker about helping the City fill the gap until a new judge can be appointed. In order to do so, the City Councils of Highland and Alpine must adopt a resolution.*

Judge Doug Nielsen presented the background information listed above. He anticipated his final day in Highland City to be the morning of September 22, 2016, and the open judge position could not be advertised until he was formally confirmed by the Senate. After his departure, there was a process that needed to be followed before a new judge could be sworn in. Judge Nielson proposed that Judge Scott Mickelsen, of Draper City, be approved to act as interim judge until a new judge was appointed. He also stated that Judge Sherlynn Fenstermaker could act as a secondary judge in the case the Judge Mickelsen was unavailable.

Councilman Brian Braithwaite asked how this appointment would impact Judge Mickelsen's other time commitments. Judge Nielsen explained that Judge Mickelsen is a part-time judge in Draper City, which is roughly the same size as Highland. He confirmed that the court schedules for the two cities would not interfere with each other.

MOTION: Councilman Brian Braithwaite moved the City Council approve a Resolution appointing Scott Mickelsen as a Pro-Tem Judge and Sherlynn Fenstermaker as an alternate Pro-Tem Judge for the Alpine Highland Justice Court.

Councilman Dennis LeBaron seconded the motion.

Those voting aye: Dennis LeBaron, Ed Dennis, Rod Mann and Brian Braithwaite.

Those voting nay: none

Motion carried.

CONSENT ITEMS:

- 1. MOTION: Approval of Meeting Minutes for the City Council Regular Session – June 28, 2016**
- 2. MOTION: Approval of Meeting Minutes for the City Council Regular Session – July 19, 2016**

MOTION: Councilman Ed Dennis moved the City Council approve the consent items on the agenda.

Councilman Rod Mann seconded the motion.

Those voting aye: Dennis LeBaron, Ed Dennis, Rod Mann and Brian Braithwaite.

Those voting nay: none

Motion carried.

ACTION ITEMS:

4. MOTION: North Pointe Solid Waste Special Service District and North Utah Environmental Resource Agency (NUERA) – Becoming partners with the Bay View Landfill

***BACKGROUND:** The North Pointe Solid Waste Special Service District (North Pointe) voted to join the Northern Utah Environmental Resource Agency (NUERA). The NUERA is looking into becoming equity partners with the Bay View Landfill. This is something that North Pointe has been working on for the past several years. In the short term, Roger Harper, Director of North Pointe doesn't believe the short term costs will change much. However, in the future, if the District were to transfer all of the City's waste to Bay View, it has the potential of saving the District substantially with increased control of the "vertical" in processing our waste streams. Mr. Harper currently estimates that the City's savings will be in the neighborhood of \$2+ per ton. Republic Services has expressed concerns over the proposal. The primary concerns are that North Pointe still has an agreement with Republic to haul 80% of the City's waste to their Tooele landfill for the next one and a half years, and Republic may be more likely to divert their collected waste stream away from North Pointe after their current contract expires. Attached are two documents that will provide background on the subject. Council member Irwin serves on both the North Pointe and NUERA Board.*

Nathan Crane presented the background information listed above and introduced Roger Harper, the director of North Pointe.

Mr. Harper gave a brief history of NUERA and explained that they were interested in taking ownership of the Bay View Landfill and becoming partners with the four entities that use it. He stated that North Pointe was currently shipping all of their tonnage to Wasatch Regional Landfill, but changing to the Bay View Landfill had the potential of saving the company and the residents of Highland City a substantial amount of money.

Councilman Dennis LeBaron asked Mr. Harper about how much savings were anticipated. Mr. Harper stated that there was a potential of saving \$3.00 to \$4.00 in transportation costs, and some additional savings in operational costs. Those savings will be passed onto the residents with lower tipping fees at the transfer stations.

Councilman Ed Dennis asked what kind of cost analysis was completed to justify their expenditures. Mr. Harper explained that their buy-in would be roughly \$1.3 million, which is \$3 per ton at 180,000 tons per year. They anticipate a term of seven years to pay back that amount.

Councilman Brian Braithwaite was concerned about this proposal. In his experience, whenever a government entity gets involved in something that a commercial entity can provide, the other entities involved always lose. He gave the example of UTOPIA, stating that the proposed situation is very similar. Councilman Brian Braithwaite found several issues with the information in the report provided by North Pointe, including some of their base calculations. He was glad to see the company exploring their options, but he was not comfortable with this particular proposal.

Mr. Harper stated that the data provided in the report was accurate, and he felt that a comparison to UTOPIA was unfair as the entities were different. He spoke about the commercial competition and the potential for fee increases if they did not act on this opportunity.

Councilman Brian Braithwaite was not swayed by the explanations and stated that the best option for the City may be to separate from North Pointe and turn it over to the commercial entities. There was further deliberation regarding the accuracy of the numbers provided in the report.

Councilman Rod Mann agreed with the comments made by Councilman Brian Braithwaite. He felt that a government entity would not experience the same pressures for efficiency as a commercial entity would. He believed that competition in this area would assure the best performance. Councilman Rod Mann had no interest in proceeding in the direction proposed by North Pointe.

Reese DeMille, with Republic Services, explained that they have had a good relationship with North Pointe and have appreciated their business for many years. He also believed that North Pointe was doing the right thing by looking at their options, but he agreed that there was no reason for local government to continue to grow and for the City to purchase into the Bay View landfill. Mr. DeMille stated that he was also concerned about the numbers presented in North Pointe's report, and presented some statistics of his own. There was a discussion regarding these statistics, including potential costs and transfer stations.

Tim Merrill, City Attorney, indicated that this item was for discussion and no motion was required. The City Council Members agreed that the information discussed for this item needed to be relayed to Councilman Tim Irwin, who was excused from the meeting.

MOTION: Councilman Ed Dennis moved the City Council convey to Councilmember Tim Irwin, who sits on the North Pointe Solid Waste Board, that Highland City Council opposes becoming partners with the Bay View Landfill.

**Councilman Brian Braithwaite seconded the motion.
Unanimous vote, motion carried.**

Before moving onto the next agenda item, Councilman Brian Braithwaite asked that the legal department research what would be required if the City decided to separate from North Pointe, if North Pointe chose to move forward in purchasing the Bay View Landfill.

6. MOTION: Contract to accept Cash In-lieu of Water Dedication – For Property within Highland

BACKGROUND: *Highland City has acquired enclosed water shares that were made available as a result of the enclosure of the Murdock Canal. Developers are required to dedicate water shares to the City as part of each development. The City Council has directed staff to accept cash in lieu of dedication for the enclosed water shares. In consultation with the City Attorney, staff has prepared a Water Share Reservation Agreement. The highlights of the agreement are as follows:*

- *The exact purchase price will be determined by market bids, averaging the quoted price of three separate independent water brokers. However, the purchase price will not be less than \$7,000.*
- *Reservation of the water is for two years. The proposed fee is \$1,000. This period can be extended an additional two years subject to a \$500.00 fee.*
- *If the water is not purchased the reservation fee is forfeited.*

Nathan Crane presented the background information above.

Councilman Dennis LeBaron asked if the amount of \$124,000 would be the payment assuming no pre-payment was made. Mr. Crane stated that this was correct. He explained that the Provo River Water Users shares had the option for prepayment, but the City's agreement was with Highland Water Conservation, who does not offer early payoff options.

There was a discussion regarding the workings of water shares, and how this agreement would affect the residents and new developments.

MOTION: Councilman Ed Dennis moved the City Council approve the contract to accept cash in lieu of water dedication for properties in Highland, with an amendment to add clarification as to the specific property that receives final approval.

**Councilman Dennis LeBaron seconded the motion.
Unanimous vote, motion carried.**

MAYOR, CITY COUNCIL & STAFF COMMUNICATION ITEMS

(These items are for information purposes only and do not require action or discussion by the City Council)

- Councilman Ed Dennis asked if any formal action needed to be taken in regards to the dead trees mentioned during the public session. Mr. Crane stated that the item had not been scheduled on the agenda, so no formal action was required at this time. He assured the City Council that staff was taking action on this issue and were awaiting bids from contractors. Mayor Thompson recommended that the City utilize the residents who have volunteered to assist in the tree removal.

- Councilman Dennis LeBaron asked if there was an anticipated date for a final report on the road study. Mr. Crane reported that he had received the report draft the previous week, but some revisions needed to be made. He stated that the City Council would review the final report in a few weeks.
- Councilman Rod Mann ask that the following items be added to the information chart:
 - The PSD Sustainability Plan
 - Information regarding the full-time Engineering position.

ADJOURNMENT TO CLOSED EXECUTIVE SESSION

MOTION: Councilman Brian Braithwaite moved to adjourn into Closed Executive Session.

**Councilman Ed Dennis seconded the motion.
Unanimous vote. Motion carried.**

ADJOURNMENT

MOTION: Councilman Rod Mann moved to adjourn.

**Councilman Dennis LeBaron seconded the motion.
Unanimous vote. Motion carried.**

Meeting adjourned at 9:59 p.m.


JoAnn Bates, City Recorder

Date Approved: September 6, 2016



Welcome to the Highland City Council Meeting



PUBLIC APPEARANCES

Time set aside for the public to express their ideas and comments on non agenda items. Please limit comments to (3) three minutes.



PRESENTATIONS

- Highland Fling Volunteer Recognition - Jessie Schoenfeld, Fling Chairman and Kaitly Lavaja, Events Coordinator



CONSENT

- Item #1 - Approval of Meeting Minutes for the City Council Regular Session - June 28, 2016
- Item #2 - Approval of Meeting Minutes for the City Council Regular Session - July 19, 2016



APPROVAL OF A PRO-TEM JUDGE FOR THE JUSTICE COURT

Item #3 – Resolution
Presented by: Doug Nielsen, Justice Court Judge

Summary

- Temporary replacement for Judge Doug Nielsen
- Judge Scot Mickelsen and Judge Sherlynn Fenstermaker
- \$1,000 per month
 - Less than the current salary
- Working with the AOC to permanently fill position
- Must be filled by January 2017



NORTH POINTE SOLID WASTE SPECIAL SERVICE DISTRICT AND NORTH UTAH ENVIRONMENTAL RESOURCE AGENCY (NUERA)

Item #4 – Motion
Presented by: Nathan Crane, City Administrator/Community Development Director

Summary

- Highland City is a member of North Pointe
- North Pointe is a member of NUERA
- NUERA is deciding whether to purchase Bay View Landfill in Elberta from South Utah Valley Solid Waste District
- Councilmember Irwin serves on North Pointe and NUERA Boards

Cited Benefits

- Possible future savings of \$2 per ton
- Purchase money would come from I-CORE property sale funds. No additional funds needed from North Pointe
- More control/input over future pricing
- 97 miles (current dump) vs. 38 miles (Bayview)
- Capacity for 40 years at Bayview. Neighboring land could be purchased for an additional 100 years

Things to Consider

- Savings would be dependent on municipalities continuing to use North Pointe as their transfer station and NUERA members using Bayview as their landfill
- Elimination of competition from the private sector
- Republic will build transfer station and 25-30% of North Pointe tonnage will be eliminated
- Landfill becomes NUERA's responsibility
- Some members of NUERA already own landfills and won't take their waste to Bayview for 15-20 years
- Republic's dumping fees to North Pointe have decreased over 25 years



CONTRACT FOR A JOB CLASSIFICATION AND COMPENSATION STUDY

Item #5 - Motion
Presented by: Erin Wells, Assistant to the City Administrator

Summary

- Council direction to conduct a wage and benefit study

Personnel Systems and Services

- Highly recommended and vast experience
- Proposal includes:
 - Job descriptions
 - Job classifications (grades)
 - Salary analysis & comparison
 - Benefit analysis & comparison
 - Compensation policy
- Wage model can be updated in the future
- 4-5 month timeline
- \$11,500 NTE & \$250 annual subscription fee



CONTRACT TO ACCEPT CASH IN-LIEU OF WATER DEDICATION

Item #5 - Motion
Presented by: Nathan Crane, City Administrator/Community
Development Director

Summary

- Sale of "saved water shares" from the enclosure of the Murdock Canal
- Final purchase price from average of 3 bids
- \$1,000 reservation fee. Can be extended 2 years for additional \$500
- Fee is forfeited if water is not purchased

Fiscal Summary

- \$1,505,000 total possible revenue
- \$1,965,701 owed on these shares
- \$460,701 remaining
- \$124,600 minimum yearly payment



MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS

City Work Week:

Presented by: Mayor Mark Thompson



EXECUTIVE SESSION

2016 Fling Expenses

Fireside		Expense
Cups and Napkins	Ridley's	\$8.27
		\$8.27
5K & Fun Run		Expense
Set-Up, Timing, Awards	The Race Time	\$1,260.47
		\$1,260.47
Advertisements		Expense
Signs	Canyon Copy	\$740.22
		\$740.22
Magazine		Expense
Sales & Design	Walker Productions	\$5,986.29
Printing & Postage	Liberty Press	\$2,016.13
		\$8,002.42
Family Adventure Race		Expense
Drew Sparks Reimbursement	Snacks, Items for Checkpoints	\$154.90
		\$154.90
Baby Contest		Expense
Sydni Larsen Reimbursement	Snacks, Table Cloths, Prizes, etc.	\$704.12
		\$704.12
BMX Stunt Team		Expense
Payment 1	Creative Sports	\$1,400.00
Payment 2	Creative Sports	\$1,400.00
		\$2,800.00
Fireworks		Expense
Payment 1	Fireworks West	\$6,000.00
Payment 2	Fireworks West	\$6,000.00
		\$12,000.00
Kids' Night		Expense
Oriental Trading Co.	Kids Prizes	\$47.98
Audrey Wright Reimbursement	Candy, Bracelets, Lip Balm	\$20.87
Plastic Medals	PartyLand	\$20.70
		\$89.55
Disc Golf Tournament		Expense
Dynamics Discs	Player Packs	\$1,995.00
Honey Bucket	1 Portable Restroom	\$100.00
Brandon Balkman Reimbursement	Baskets, Prize	\$299.54
		\$2,394.54
Movie in the Park		Expense
Zootopia DVD	Wal-Mart	\$24.96
Copyrights from Swank	Swank	\$375.00
Inflatable Cinema Package	Canyon Party Rental	\$210.00
		\$609.96

Mass Gathering Requirements		Expense
Honey Bucket	Portable Restrooms	\$1,075.16
Republic Services	Dumpsters	\$0.00
Mass Gathering Permit	Utah County Health Department	\$100.00
Barricades/Cones	Interstate Barricades	\$395.50
3 Light Towers & 1 Generator	Blue Line Rental	\$915.50
		\$2,486.16
Parade		Expense
AF Band		\$250.00
LPHS Band		\$250.00
Utah Pipe Band		\$600.00
Honey Bucket	2 Portable Restrooms	\$200.00
Candy for City Council	Costco	\$352.94
Kids' Night Winners Float	Zurcher's	\$143.02
Ribbons for Parade Winners	Zurchers	\$6.35
		\$1,802.31
Entertainment		Expense
Sound, Lights, Drum Kit	Craig Conover- Audio Visions	\$3,000.00
Stage	Lehi City	\$500.00
Grand Marshal Award	McGee's Stamp & Trophy Co.	\$44.95
Brendan Thorpe		\$100.00
Cadence		\$100.00
Wild Wonders Animal Show		\$190.00
Stillwater		\$100.00
The Doldrums		\$100.00
UFO HUM Ukulele Ensemble		\$100.00
Harp Irish Dance Company		\$100.00
The Rocky Mountain Wizard		\$500.00
Forsyth Academy of Highland Dance		\$100.00
Whitney Lusk		\$100.00
The Black and Red Band		\$100.00
Feebus Pruett		\$3,500.00
		\$8,634.95
Highland Games		Expense
Shirts	Lake Screen Printing	\$547.00
Trophies	Engineering Solutions Inc	\$325.00
Cash Prizes for Strong Man		\$230.00
Gas Reimbursement		\$54.00
		\$1,156.00
Youth Night in the Park		
Hypnotist	Blake Powers	\$500.00
		\$500.00

Vendors		Expense
Balloon Guy Entertainment		\$160.00
		\$160.00
Play Day Rodeo		Expense
Jeanie Spykes Reimbursement	Awards, wasp spray, candy	\$227.88
		\$227.88
Misc.		Expense
Highland 17th Ward	Fling Bucks	\$34.00
Char's Cotton Candy	Fling Bucks	\$16.00
Marty's Navaja Tacos	Fling Bucks	\$37.00
Reimbursement- Erin Wells: Caution Tape, Marking Spray	Allred's Ace	\$18.37
Reimbursement- Erin Wells: Ice, Coolers, Soda	Costco	\$134.90
Breakfast for Public Works	McDonald's	\$6.46
Water	Costco	\$49.56
Gloves for Trash Pick Up	Wal-Mart	\$6.97
Shirts for Mayor and City Council	Elevate	\$379.92
Cellophane Bags for Goodie Bags	Wal-Mart	\$2.91
Trash Bags	Wal-Mart	\$24.96
White Duct Tape	Ridley's	\$7.29
Thank You Gift Cards	Blue Lemon	\$310.00
		\$1,028.34
TOTAL EXPENSES		\$44,760.09

